

Manatee County Ordinance

PDC-87-01(P)(R6) SR 70 FSED AKA "PARCEL 1B RANCH LAKE PLAZA"– MAVARD TRADING, LTD. – PLN2102-0113

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING ORDINANCE NO. PDC-87-01(P)(R5), FOR MAVARD TRADING, LTD TO REVISE THE PRELIMINARY SITE PLAN IN ORDER TO REFLECT THE CONSTRUCTION OF A 10,820 SQUARE FOOT FREESTANDING EMERGENCY DEPARTMENT (FSED); APPROVING A SCHEDULE OF PERMITTED AND PROHIBITED USES AS VOLUNTARILY PROFFERED BY THE APPLICANT AND ATTACHED AS EXHIBIT B; THE PROPERTY IS APPROXIMATELY 1.17 ACRES AND IS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF STATE ROAD 70 EAST AND RANCH LAKE BOULEVARD AND IS COMMONLY KNOWN AS 8500 SR 70 EAST, BRADENTON (MANATEE COUNTY); SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mavard Trading, Ltd. (the "Applicant") filed an application for a revised Preliminary Site Plan in order to reflect the construction of a 10,820 square foot Freestanding Emergency Department (FSED) on approximately 1.17 acres as described in Exhibit "A", attached hereto, (the "Property"); and

WHEREAS, the applicant also filed a request for Specific Approval for alternatives to Land Development Code Sections: 1) 900.6.D (Entranceway Standards – Open Space) and 403.10.C.15 – To reduce the open space from the required 35% to 31.1% for projects located within an Entranceway and Watershed Overlay district; and 2) 402.11.D (PDC Standards) – Reduce the required rear yard setback from 20 feet to 13 feet; and

WHEREAS, the applicant also filed a Schedule of Permitted and Prohibited Uses Exhibit "B" attached hereto; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on August 10, 2023, to consider the revised Preliminary Site Plan, Schedule of Permitted and Prohibited Uses attached hereto Exhibit "B" and Specific Approval applications considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the revised Preliminary Site Plan, Schedule of Permitted and Prohibited Uses and Specific Approval applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval subject to the stipulations in the staff report.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA;

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for a revised Preliminary Site Plan, Schedule of Permitted and Prohibited Uses, and Specific Approval as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners, after due public notice, held a public hearing on September 7, 2023, regarding the proposed Ordinance described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at said public hearing.

C. The proposed Ordinance regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

D. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Sections 403.10.C.15 and 900.6.D, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed design because the site has adequate landscaping, is not adjacent to another development on the west side due to a Right of Way, and the previously approved PSP was approved with the 31.1 percent open space.

E. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 402.11.D.3, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed alternative designs because the 13-foot setback along the required rear yard is adjacent to a private access, utility and drainage tract that is platted.

Section 2. REVISED PRELIMINARY SITE PLAN. The revised Preliminary Site Plan is hereby approved to reflect the construction of a 10,820 square foot Freestanding Emergency Department (FSED), upon the property subject to the following Stipulations:

1. Freestanding Emergency Room (FSED) shall be permitted per LDC and is subject to LDC Section 531.62
2. The 40-foot-wide landscape buffer along the southern property line, excluding along Parcel 5 as identified on the Preliminary Site Plan, shall contain a continuous finished concrete block wall at the north side of the buffer, constructed to a height of at least 8 feet above the estimated finished floor elevation of the proposed buildings that will be constructed on the parcels that adjoin the wall and shall commence construction at the time of construction of the master drainage system for the project site. Supplemental landscaping, consisting of live oak trees and Viburnum shrubs or comparable), shall be provided which will create a visually opaque buffer between the top of the wall and a height of 12 feet within 2 years of issuance of the Certificate of Occupancy for the shopping center. Landscaping materials used throughout the project shall consist of native species which are drought and frost tolerant. (Completed) The trees shall be irrigated by a system controlled and maintained by the project's owner or successor and separately zoned from other irrigation in the Project. The project's owner or successors shall be responsible for the maintenance and replacement of diseased trees and shrubs.

3. The landscaping plan and the specific locations for the handicap parking spaces and loading zones shall be approved prior to each final site plan approval.
4. The required canopy trees (i.e., live oaks) to be located within the buffer along the southern property line shall be a minimum of 3" D.B.H., at least 10' tall at time of planting, planted on 30-foot intervals, and installed prior to issuance of the first Certificate of Occupancy for the site. (Completed)
5. No structure, except in Parcel 5, will be located within 100 feet of the south property line. (Completed)
6. In addition to any requirements relating to the entranceway for shielding of such equipment, rooftop mechanical equipment shall not be visible from the single family residences to the south adjacent dwelling units as measured 5 feet above finished floor elevation of the adjacent dwelling units.
7. A valid market study shall be submitted for this site demonstrating need for the commercial development prior to the approval of the first Final Site Plan. Site Plan approval can only be granted for uses and floor areas supported within two years, given competing uses. (Completed)
8. A Wetland Impact Review shall be submitted to the Environmental Planning Division (EPD) for review concurrently with the Final Site Plan. A Mitigation Ratio for altered wetlands shall be determined by EPD at time of Final Site Plan approval. (Completed)
9. Prior to the burning of trees and/or branches, a burn permit must be obtained from Manatee County.
10. Parcel 5 shall be limited to an office use or daycare center. (Completed)
11. The proposed western driveway shall be located within the boundaries described in the legal description for the project. This entrance may be modified in the future if permitted by County rules and regulations. (Completed)
12. The applicant shall comply with all traffic conditions as noted in the Certificate of Level of Service Compliance.
13. Mitigation will be shown on site even if that results in a reduction of square footage, unless such mitigation is consistent with County codes and adequate assurances are made to the County that such mitigation will be completed in conformance with those codes. (Completed)
14. All deliveries and truck loading and unloading shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. Transportation of medical patients to and from the site, by ambulance or other vehicles, are not considered "deliveries", "loading", or "unloading" for purposes of this stipulation.
15. The pedestrian travelway extending north from 91st Street East shall be prohibited and removed from future site plans. (Completed)

16. Land clearing for the shopping center and associated parking and infrastructure, except for the master stormwater system and the required wall, shall not commence until building permit for the shopping center has been submitted to the County. (Completed)
Land clearing, tree removal and grading shall be limited to the specific parcel receiving approval and shall be conducted simultaneously with building construction. If construction occurs on outparcels, other than outparcel 5, prior to the construction of the shopping center, there must be access from State Route 70 in accordance with the approved Site Plan. (Completed)
17. The developer shall make a fair share contribution towards installation of a traffic signal when warranted at the intersection of Braden Run Road and State Route 70.
(Completed)
18. The daycare center building proposed on Parcel 5 shall be located a minimum of 40 feet from the southern property line. (Completed)
19. The daycare center recreation area shall maintain a minimum 50-foot setback from the southern property line. (Completed)
20. All dumpsters shall be located a minimum of 100 feet from the southerly property line, except on Parcel 5 (Completed)
21. Forty-eight hours prior to construction, the developer shall notify the Braden Woods Association Presidents.
22. Vegetative buffer elevations for the wall shall be submitted at the time of first Final Site Plan approval. Construction shall be in accordance with elevations. Parcel 5 shall retain a natural landscape buffer within the 20-foot drainage easement currently located on the southern boundary of the property and will have additional landscaping as shown on the Landscape Plan attached as Exhibit "A" within the 40-foot buffer that is north of the southern boundary line. (Completed)
23. Building elevations for the shopping center shall be submitted for approval with the first application for Final Site Plan approval. (Completed) All buildings on-site, including the outbuildings, shall be of a unified thematic design consistent with the character of the area. A copy of the elevation shall be submitted to the Braden Woods Association Presidents (1-4, 5, & 6) at the time of submission to staff, for review and comment prior to Final Site Plan approval by the Planning Department.
24. There shall be no outdoor bells, intercoms or outdoor music at any service station or convenience store with gas pumps. (Completed)
25. There shall only be one service station or convenience store with gas pumps. It shall be located on either Parcel 1 or 2. There shall be no more than four gas islands with a maximum of eight dispensers. Gross floor area for Parcel 2 shall not exceed 6,770 square feet for canopy and 3,700 square feet for building area. (Completed)
26. Gross Building area for Parcel 1 shall be a maximum of 3,700 sq. ft. However, up to 6,000 square feet may be transferred from the shopping center site (not from an outparcel site) to Parcel 1, which parcel may be expanded along the SR 70 frontage to accommodate such transfer, which transfer may be approved administratively unless the

Planning Director believes that there are off-site impacts not previously addressed by prior Board approvals.

27. Any grocery store within the project shall be relocated from the southerly boundary of the project to near the center of the easterly boundary of the project, resulting in the rear of the grocery store building facing the office park to the east, rather than the residential neighborhood to the south. (Completed)
28. All development on the site shall comply with all conditions of the May 5, 1998 Settlement Agreement, as amended pursuant to the attached Settlement Stipulation (Exhibit UB"), which shall be binding on all lands in the Project, and the owners, their successors, or assigns. Prior to Final Site Plan approval for the shopping center or the second out parcel, a revised Preliminary Site Plan, in accordance with the revised site plan, Exhibit A of the Settlement Agreement dated May 5, 1998, shall be submitted. Changes not consistent with the revised site plan, Exhibit A of the Settlement Agreement, shall be reviewed in accordance with Section 603.6 of the Land Development Code.
29. Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the Planning Department.
30. The uses approved for this project are limited to those voluntarily proffered by the Applicant in the Schedule of Permitted and Prohibited Uses attached as Exhibit B.

Section 3. SPECIFIC APPROVAL. Specific Approval is hereby granted for alternatives to Land Development Code Sections: 1) 900.6.D (Entranceway Standards – Open Space) and 403.10.C.15 – To reduce the open space from the required 35% to 31.1% for projects located within an Entranceway and Watershed Overlay district; and 2) 402.11.D (PDC Standards) – Reduce the required rear yard setback from 20 feet to 13 feet. The Specific Approval shall continue in effect and shall expire concurrent with the Revised Preliminary site Plan for the project approved pursuant to Section 2 hereof.

Section 4. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 5. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.


Section 6. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 7. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 7th day of September 2023.



**BOARD OF COUNTY
COMMISSONERS OF MANATEE
COUNTY, FLORIDA.**

BY: 
Kevin Van Ostenbridge, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: 
Deputy Clerk

Exhibit "A"

Legal Description

THE WEST PORTION OF LOT 1, RANCH LAKE PLAZA, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN PLAT BOOK 37, PAGES 1 THROUGH 6 OF THE PUBLIC RECORD OF MANATEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 1, RANCH LAKE PLAZA, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN PLAT BOOK 37, PAGES 1 THROUGH 6 OF THE PUBLIC RECORD OF MANATEE COUNTY, FLORIDA; THENCE RUN S70°20'03"E, ALONG THE NORTH LINE OF SAID LOT 1, FOR A DISTANCE OF 222.43 FEET, THENCE DEPARTING THE NORTH LINE OF SAID LOT 1, RUN S19°39'57"E FOR A DISTANCE OF 250 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1, THENCE RUN N70°20'03"W, ALONG THE SOUTH LINE OF SAID LOT 1, FOR A DISTANCE OF 203.26 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID CORNER IS ALSO THE BEGINNING OF A NON-TANGENT CURVE, SAID CURVE IS CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 650.00 FEET AND A DELTA ANGLE OF 22°14'27", LONG CHORD BEARING OF N15°16'52"E AND A CHORD DISTANCE OF 250.73 FEET, THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR A DISTANCE OF 252.31 FEET RETURNING TO THE POINT OF BEGINNING.

CONTAINING 1.17 ACRES, MORE OR LESS.

Chapter 4 - ZONING
Section 402. - Planned Development (PD) Districts.
402.5. Schedule of Uses for PD Districts.

Table 4-12: Schedule of Uses for PD Districts

Land Use		PDR	PDO	PDC	PDRP	PDI	PDI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ
AGRICULTURAL USES														
Agricultural Research Facilities	---	X	X	P	P	X	P	X	P	X	X	X	P	P
Agricultural Uses	531.1	P	P	P	P	P	P	P	P	P	P	X	P	P
Agricultural Products Processing Plants	531.1	X	X	X	X	P	X	X	P	X	X	X	P	P
Animal Products Processing Facility	531.1	X	X	X	X	P	X	X	SP	X	X	X	P	P
Short Term Agricultural Uses	531.1	P	X	P	X	X	X	X	P	X	X	X	P	P
Stables or Equestrian Centers: Private	531.1	P	X	X	X	X	X	X	P	P	P	X	P	X
Stables or Equestrian Centers: Public	531.1	X	X	P	X	X	P	X	P	X	X	X	P	X
Tree Farm	531.1	X	X	X	X	X	P	X	P	X	X	X	P	X
Animal Services (Wild and Exotic)	531.5	P	P	P	P	P	P	P	P	P	P	P	P	P
Breeding Facility (Non-Wild & Exotic)	531.8	X	X	P	P	P	P	X	P	X	X	X	P	X
Farming Service Establishments	531.18	X	X	P	X	X	X	X	P	X	X	X	P	P
Farm Worker Housing	531.19	X	X	X	X	X	X	X	X	X	X	X	X	X
Pet Service (Kennel) Establishments	531.38	X	X	P	X	X	X	X	P	X	X	X	P	X
Sawmills	531.1	X	X	X	X	P	X	X	P	X	X	X	X	P
Slaughterhouses	531.1	X	X	X	X	P	X	X	P	X	X	X	X	X
Stockyards and Feedlots*	531.1	X	X	X	X	P	P	X	P	X	X	X	X	X
Veterinary Hospitals	531.58	X	X	P	X	P	P	X	P	X	X	X	X	X
COMMERCIAL - RETAIL														
Alcoholic Beverage Establishment	531.4	X	X	SP	X	SP	X	SP	SP	X	X	X	X	X
Alcoholic Beverage Establishment - 2 COP License	531.4	X	X	P	X	X	X	X	P	X	X	X	X	X
Auction Houses, Enclosed	---	X	X	P	X	P	X	X	P	X	X	X	X	X
Auction Houses, Open	531.6	X	X	P	X	P	X	X	P	X	X	X	X	X
Building Materials Sales Establishment	531.9	X	X	P	X	X	X	X	P	X	X	X	X	X
Lumberyard	531.9	X	X	X	X	P	X	X	P	X	X	X	X	P
Drive-Through Establishments	531.16	X	X	P	P	P	X	X	P	X	X	X	X	P
Gas Pumps	531.51	X	X	P	P	P	P	P	P	P	X	X	X	P
Recreational Vehicle/Mobile Home Sales, Rental & Leasing	531.43	X	X	P	X	X	X	X	P	P	X	X	X	X
Restaurant	531.48	X	P	P	P	P	X	P	P	X	X	X	X	P
Retail Sales, Neighborhood Convenience	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Medical Marijuana Treatment Center Dispensing Facility	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Retail Sales, General	531.49	X	P	P	P	P	X	P	P	P	P	X	P	X
Service Station	531.51	X	X	P	X	P	X	X	P	X	X	X	X	P
Vehicle Sales, Rental, Leasing	531.57	X	X	P	X	P	X	X	P	X	X	X	X	X
COMMERCIAL - SERVICES														
Bed and Breakfast	531.7	P	X	P	X	X	X	P	P	X	X	X	P	X
Business Services	---	X	P	P	P	P	P	X	P	X	X	X	X	X
Printing, Medium	---	X	X	P	X	P	X	X	P	X	X	X	X	X
Printing, Small	---	X	P	P	X	P	X	X	P	X	X	X	X	X
Car Wash: Full Service	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X

01782650-1

Manatee County, Florida, Land Development Code
(Supp. No. 15)

Created: 2013-06-11 10:15:03 [917]

Chapter 4 - ZONING
Section 402. - Planned Development (PD) Districts.
402.5. Schedule of Uses for PD Districts.

Car Wash: Incidental	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X	X
Car Wash: Self-Service	531.10	X	X	P	X	P	P	X	P	X	X	X	X	X	X
Clinics	—	X	P	P	X	X	P	X	P	X	X	X	X	X	X
Equipment sales, rental, leasing, storing and repair - heavy	531.18	X	X	P	X	P	X	X	P	X	X	X	X	X	P
Construction equipment	531.18	X	X	P	X	P	P	X	P	X	X	X	X	X	X
Equipment sales, rental, leasing, storing and repair - light	—	X	X	P	X	P	X	X	P	X	X	X	X	X	X
Food Catering Service Establishment	531.21	X	X	P	X	P	X	X	P	X	X	X	X	X	X
Free Standing Emergency Department (FSED) ³	531.62	X	X	P	X	X	X	X	P	X	X	X	X	X	X
Funeral Chapel	531.22	P	P	P	X	X	X	X	P	X	X	X	X	P	X
Funeral Home	531.22	X	P	P	X	X	X	X	P	X	X	X	X	X	X
Hospital ¹	—	X	X	X	X	X	P	X	P	X	X	X	X	X	X
Intensive Services: Exterminating and Pest Control	531.26	X	X	X	X	X	X	X	P	P	X	P	X	X	P
Intensive Services: Printing, Heavy	—	X	X	X	X	P	X	X	X	X	X	X	X	X	P
Intensive Services: Industrial Service Establishment	531.26	X	X	P	P	P	X	X	P	X	X	X	X	X	P
Intensive Services: Sign Painting Service	531.26	X	X	P	X	P	P	X	P	X	X	X	X	X	X
Intensive Services: Taxi-Cab, Limousine Service	531.26	X	X	P	X	P	X	X	P	X	X	X	X	X	X
Intensive Services: All others	531.26	X	X	P	X	P	P	X	P	X	X	X	X	X	P
Laboratories, Medical and Dental	—	X	P	P	P	P	P	X	P	X	X	X	X	X	X
Lodging Places: Boarding House	531.28	P	X	X	X	X	X	X	P	X	X	X	X	X	X
Lodging Places: Boatel	531.28	X	X	X	X	X	X	X	P	X	X	X	X	X	X
Lodging Places: Dormitories	531.28	P	X	X	X	X	P	X	P	X	X	X	X	X	X
Lodging Places: Hospital Guest House	531.28	X	X	P	X	X	P	X	P	X	X	X	X	X	X
Lodging Places: Hotel/motel	531.28	X	X	P	P	P ²	P	P	P	X	X	X	X	X	P
Office, Medical or Professional	531.61	P	P	P	P	P	P	P	P	P	X	X	X	X	X
Miscellaneous Services: Office	—	X	P	P	P	P	P	P	P	X	X	X	X	P	X
Banking: Bank	—	X	P	P	P	P	X	X	P	X	X	X	X	X	X
Banking: Bank/Drive-through	531.16	X	P	P	P	P	X	X	P	X	X	X	X	X	P
Personal Service Establishment	—	P	P	P	P	P	P	X	P	P	X	X	X	P	X
Dry Cleaners: General	—	X	P ³	P	P ¹	P	P	X	P	X	X	X	X	X	X
Dry Cleaners: Pick-up	—	X	P	P	P	P	P	X	P	X	X	X	X	P	P
Rental Service Establishment	—	X	X	P	P	P	X	X	P	X	X	X	X	X	X
Repair Service Establishment	—	X	X	P	P	X	P	X	P	X	X	X	X	X	X
Recreational Vehicle Parks and Subdivisions	531.42	X	X	P	X	X	X	X	P	P	X	X	X	X	X
Rehabilitation Center	531.44	P	P	P	P	P	P	P	P	P	X	X	X	P	X
Vehicle Repair: Major	531.56	X	X	P	X	P	X	X	P	X	X	X	X	X	P
Vehicle Repair: Community Serving	—	X	X	P	X	P	X	X	P	X	X	X	X	X	X
Vehicle Repair: Neighborhood Serving	—	X	X	P	X	P	X	X	P	X	X	X	X	X	X
Veterinary Clinic	531.58	X	P	P	P	X	X	X	P	X	X	X	X	P	X
Wholesale Trade Establishment	—	X	X	P	P	P	X	X	P	X	X	X	X	X	X
INDUSTRIAL															
Asphalt/Concrete Processing, Manufacturing, or Recycling Plants ⁴	—	X	X	X	X	P	X	X	X	X	X	X	X	X	X

01782650-1

Manatee County, Florida, Land Development Code
(Supp. No. 15)

Created: 2023-06-21 10:15:00 (EST)

Chapter 4 - ZONING
Section 402. - Planned Development (PD) Districts.
402.5. Schedule of Uses for PD Districts.

Industrial, Heavy	531.25	X	X	X	X	P	X	X	P	X	X	X	X	P
Firework/Sparkler Manufacture	531.25	X	X	X	X	P	X	X	X	X	X	X	X	X
Industrial, Light	531.25	X	X	X	P	P	P	X	P	X	X	X	X	P
Research and Development Activities	—	X	X	X	P	P	P	X	P	X	X	X	X	P
COMMUNITY SERVICE USES														
Civic, Social, and Fraternal Organizations/Clubs	531.14	P/SP	P	X	X	X	X	P	P	P	P	X	P	X
Correctional Facilities: Community	—	X	X	X	X	X	P	X	P	X	X	X	X	X
Correctional Facilities: Major	—	X	X	X	X	X	P	X	P	X	X	X	X	X
Cultural Facilities	531.15	P	P	P	P	P	P	P	P	X	X	X	P	P
Emergency Shelters	531.44	P	P	P	X	X	X	P	P	X	P	X	P	X
Emergency Shelter Home	531.44	P	P	P	X	X	X	P	P	X	P	X	P	X
Personal Wireless Service Facilities	531.37	See Section 531.37												
Public Community Uses	531.39	P	P	P	P	P	P	P	P	P	P	X	P	P
Public Use Facilities	531.40	P	P	P	P	P	P	P	P	P	P	X	P	P
Post Offices	—	P	P	P	P	P	P	P	P	P	P	X	P	P
Radio, TV, Communications, Microwave Facilities	—	X	X	P	P	P	P	X	P	X	X	X	X	P
Utility Use	531.54	P	P	P	P	P	P	P	P	P	P	P	P	P
Alternative Energy Generation Facility	531.54	X	X	X	X	P	P	X	X	X	X	X	X	P
Utility Use, Heavy	531.54	X	X	X	X	P	X	X	P	X	X	X	X	X
MISCELLANEOUS USES														
Flea Markets: Enclosed	531.20	X	X	P	X	X	X	X	P	X	X	X	X	X
Flea Markets: Open	531.20	X	X	P	X	X	X	X	P	X	X	X	X	X
Intensive Services: Towing Service and Storage Establishment	531.26	X	X	P	X	P	X	X	P	X	X	X	X	P
Outdoor Advertising Signs	—	X	X	P	X	P	X	X	X	P	X	X	X	P
Outdoor Storage (Principal Use)	531.36	X	X	P	X	P	X	X	P	X	X	X	X	P
Parking, Commercial (Principal Use)	—	X	P	P	P	P	P	P	P	X	X	X	X	X
Sexually Oriented Businesses	531.52	See Section 531.52												
Water Dependent Uses	531.60	X	X	X	X	X	X	P	P	X	X	X	X	X
OPEN USE OF LAND - LIGHT														
Cemetery: Human and Pet	531.11	X	X	P	X	X	P	X	P	X	X	X	X	X
Earthmoving, Minor	702	P	P	P	P	P	P	P	P	P	P	X	P	P
Game Preserve	—	X	X	P	X	X	P	X	P	X	X	X	X	X
OPEN USE OF LAND - HEAVY														
Earthmoving, Major	702	X	X	X	X	X	X	X	X	X	X	X	X	P
Junkyards	531.27	X	X	X	X	X	X	X	P	X	X	X	X	X
Mining	531.30	X	X	X	X	X	P	X	X	X	X	X	X	X
Solid Waste Management Facilities	531.53	X	X	P	X	P	P	X	P	X	X	X	X	X
Landfills	531.53	X	X	X	X	X	P	X	X	X	X	X	X	X
RECREATION USES														
Environmental Land Preserves, Public and Private	531.17	P	P	P	P	P	P	P	P	P	X	X	P	X
Recreation, High Intensity	531.41	X	X	P	X	X	P	P	P	X	X	X	X	X
Recreation, Low Intensity	531.41	P	P	P	P	P	P	P	P	P	P	P	P	X
Recreation, Medium Intensity	531.41	X	X	P	X	X	P	P	P	X	X	X	X	X

Chapter 4 - ZONING
Section 402. - Planned Development (PD) Districts.
402.5. Schedule of Uses for PD Districts.

Recreation, Passive	531.41	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation, Rural	531.41	X	X	X	X	P	P	X	X	X	X	X	X	X	X	X
RESIDENTIAL USES																
Accessory Dwelling Unit ⁴	531.18	P	X	X	X	X	X	X	X	P	X	X	X	P	X	X
Assisted Living Facility, Large ⁵	531.45	P	P	P	X	X	P	X	P	X	X	X	X	P	X	X
Assisted Living Facility, Small ⁵	531.45	P	P	P	X	X	P	X	P	X	X	X	X	P	X	X
Community Residential Homes	531.44	P	X	X	X	X	P	X	P	P	P	X	X	P	X	X
Group Housing	531.23	X	X	X	X	X	P	X	P	X	X	X	X	X	X	X
Mobile Homes, Individual	531.32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Mobile Home Parks	—	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Mobile Home Subdivisions	—	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Nursing Homes ¹	531.35	X	P	P	X	X	P	X	P	X	X	X	X	X	X	X
Recovery Home, Large	531.45	X	P	P	X	X	P	X	P	X	X	X	X	X	X	X
Recovery Home, Small	531.45	P	P	P	X	X	P	X	P	P	P	X	X	P	X	X
Residential Treatment Facilities	531.46	P	X	X	X	X	P	X	P	X	X	X	X	P	X	X
Residential Use: Duplexes	531.47	P	X	X	X	X	P	X	P	X	X	X	X	X	X	X
Residential Use: Multiple Family Dwellings	531.47	P	X	X	X	X	P	P	P	P	X	X	X	X	X	X
Residential Use: Single Family, Attached Dwellings (3 to 9 units)	531.47	P	X	X	X	X	P	P	P	X	X	X	X	X	X	X
Residential Use: Single Family, Detached Dwellings	531.47	P	X	X	X	X	P	P	P	X	X	X	X	P	X	X
Residential Use: Single Family, Semi-Detached Dwellings	531.47	P	X	X	X	X	P	X	P	X	X	X	X	X	X	X
Residential Use: Triplex and Quadplex Dwellings (Multifamily, four (4) units maximum)	531.47	P	X	X	X	X	X	P	P	X	X	X	X	X	X	X
Residential Use: Waterfront Structures (Residential)	531.47	P	X	X	X	X	X	P	P	P	P	X	X	P	X	X
Residential Use: Waterfront Structures, Multi-Family	531.47	P	X	X	X	X	X	P	P	X	X	X	X	P	X	X
RESIDENTIAL SUPPORT USES																
Adult Day Care Center	—	P	P	P	X	X	X	P	P	X	P	X	X	P	X	X
Child Care Center, Accessory	531.12	P	P	P	P	P	P	P	P	P	P	X	X	P	P	P
Child Care Center, Large	531.12	P	P	P	P	P	P	X	P	X	X	X	X	P	X	X
Child Care Center, Small	531.12	P	P	P	X	P	P	X	P	P	P	X	X	P	X	X
Churches/Places of Worship	531.13	P	P	P	X	X	X	X	P	P	P	X	X	P	X	X
Environmental Education Facilities	—	P	X	X	X	X	P	X	P	X	X	X	X	P	X	X
Family Day Care Home	—	P	X	X	X	X	P	X	P	P	P	X	X	P	X	X
Schools, College/Universities	531.50	X	X	X	X	X	P	X	P	X	X	X	X	X	X	X
Schools, Elementary	531.50	P	P	X	P	X	P	X	P	X	X	X	X	P	X	X
Schools, High and Middle	531.50	P	P	X	P	X	P	X	P	X	X	X	X	X	X	X
Schools of Special Education	531.50	P	P	P	P	X	P	X	P	X	X	X	X	P	X	X
Schools, Public	531.50	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
TRANSPORTATION USES																
Aircraft Landing Field	531.2	X	X	X	X	X	P	X	P	X	X	X	X	X	X	X
Airport, Commercial	531.3	X	X	X	X	X	P	X	P	X	X	X	X	X	X	X
Airport, Private or Public	531.3	X	X	X	X	P	P	X	P	X	X	X	X	X	P	P
Bus and Train Passenger Station	—	P	X	P	P	P	P	X	P	X	X	X	X	P	P	P
Hazardous Waste Transfer Facility	—	X	X	X	X	P	P	X	P	X	X	X	X	X	X	X

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Manatee County, Florida, Land Development Code
(Supp. No. 15)

Created: 2023-06-11 10:15:03 (EST)

Chapter 4 - ZONING
Section 402. - Planned Development (PD) Districts.
402.5. Schedule of Uses for PD Districts.

Heliport	531.24	X	X	P	X	P	P	X	P	X	X	X	X	P
Helistop	531.24	P	P	P	P	P	P	P	P	X	X	X	P	P
Intensive Services: Motor Pool Facilities	531.26	X	X	X	X	P	P	X	P	X	X	X	X	P
Intermodal Terminal	—	X	X	X	X	P	P	X	P	X	X	X	X	P
Motor Freight Terminal/Maintenance	531.34	X	X	X	X	P	X	X	P	X	X	X	X	P
Bus RR/Maintenance Facility	531.34	X	X	X	X	P	P	X	P	X	X	X	X	X
Railroad Switching/Classification Yard	—	X	X	X	X	P	P	X	X	X	X	X	X	P
WAREHOUSING														
Mini Warehouses, Self-storage	531.31	X	X	P	X	P	X	X	P	X	X	X	X	X
Warehouses	531.59	X	X	X	P	P	P	X	P	X	X	X	P	P

P = Permitted (see Section 315); SP = Special Permit (see Section 316); P = Permitted, X = Not Permitted, P/SP = Administrative Permit required as specified in Chapter 3 or elsewhere in this Code

¹ Acute medical facilities are not allowed within the Coastal Evacuation Area, as defined in the Comprehensive Plan.

Hotels are allowed only where the underlying Future Land Use category is Industrial-Light (R).

² Limited to three thousand (3,000) square feet in gross floor area.

³ Asphalt/Concrete Processing, Manufacturing, or Recycling Plants are prohibited from locating on property within the Watershed Protection Overlay District.

⁴ FSEs are required to be located within the Retail/Office/Residential (ROR) or the Mixed Use (MU) Future Land Use Categories.

⁵ If expressly approved in the zoning ordinance and the site plan approving the planned development project, or if expressly approved as an amendment to an existing planned development zoning ordinance and the applicable site plan, or if the lot is no longer included in the site plan approving the planned development project, and the lot is developed for a residential, single family use.

NOTES:

• Uses identified as "Permitted Uses" in all Planned Development Districts may be permitted in conjunction with a PD approval. PD zoning in itself does not constitute approval to develop.

• Uses may be further restricted or modified by the overlay district regulations.

(Ord. No. 16-31, § 3(Exh. A), 11-13-16; Ord. No. 16-06, § 3(Exh. A-3), 11-15-16; Ord. No. 16-24, § 3(Exh. A-4), 11-15-16; Ord. No. 17-30, § 4(Exh. B), 9-7-17; Ord. No. 17-47, § 3(Exh. A-2), 9-7-17; Ord. No. 18-22, § 3(Exh. A-2), 6-7-18; Ord. No. 18-18, § 3(Exh. A-2), 8-23-18; Ord. No. 19-03, § 3(Exh. A-4), 3-21-19; Ord. No. 20-05, § 3(Exh. A-2), 6-4-20; Ord. No. 20-34, § 3(Exh. A), 10-1-20; Ord. No. 21-11, § 3(Exh. 2), 8-21-21/Amd. 10-12-21; Ord. No. 22-87, § 3(Exh. A), 11-3-22)

Editor's note(s)—See the editor's note to Table 4-1.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 8, 2023

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, FL 34206

Dear Honorable Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. PDC-87-01(P)(R6), which was filed in this office on September 7, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh